

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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BM MERCHANDISING CO., LTD.,	:	
	:	Civil Action No. 11-7246 (SDW)
Plaintiff,	:	
v.	:	
PIPER RIDGE, LLC and VINCENT NESI,	:	
	:	<b><u>ORDER</u></b>
Defendants.	:	November 7, 2012
	:	

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**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
OF THE MAGISTRATE JUDGE**

This matter comes before this Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Madeline C. Arleo filed October 04, 2012, regarding Defendants’ failure to comply with the discovery schedule in this action. No objections to the R&R were filed.

This Court has reviewed the R&R and documents on file in this matter. Based on the foregoing, and for good cause shown,

IT IS, on this 7<sup>th</sup> day of November, 2011,

**ORDERED** that the R&R of Magistrate Judge Arleo as set forth on the record on October 04, 2012, is **ADOPTED** by this Court, and it is further

**ORDERED** that Defendants’ answer with affirmative defenses is stricken, and it is further

**ORDERED** that default be entered against Defendants and directing the Clerk to note default on the docket, and it is further

**ORDERED** that Plaintiff are permitted to proceed to judgment by default as to both Defendants.

**SO ORDERED.**

s/ Susan D. Wigenton, U.S.D.J.

cc: Clerk  
Magistrate Judge Madeline C. Arleo  
Parties